

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-842

December 18, 2001

CENTRAL MAINE POWER COMPANY
Request for Approval of Special Rate Contract
Second Amendment to Unbundle Customer
Service Agreement with Huhtamaki Food
Service, Inc.

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, we grant final approval of a Second Amendment to the Customer Service Agreement (CSA) between Central Maine Power Company (CMP) and Huhtamaki Food Service, Inc. (Huhtamaki). This Amendment unbundles Huhtamaki's bundled contract through its expiration in December, 2001.

DISCUSSION AND DECISION

On December 6, 2001, CMP filed with this Commission a proposed Second Amendment to its CSA with Huhtamaki (formerly The Chinnet Company). This Second Amendment unbundles the pricing of Huhtamaki's bundled CSA from the March 1, 2001 meter read date through the expiration date of the bundled contract, December 30, 2001 and supersedes a First Amendment that provided unbundled pricing through February, 2001 (granted approval by Order of the Commission dated August 22, 2000 in Docket No. 2000-634), and an Amended and Restated CSA that provided unbundled pricing through June, 2000 (granted temporary approval by Order of the Acting Director of Technical Analysis dated April 7, 2000).¹

We have reviewed the terms of the Second Amendment and have determined that it is reasonable and complies with 35-A M.R.S.A. § 3204(10). This finding is based, in part, on our decision in Docket No. 2001-166 (Order dated October 2, 2001) in which we found that under 35-A M.R.S.A. § 3204(10), Huhtamaki (The Chinnet Company at that time) should pay a total price for electric generation and delivery consistent with its original special rate contract, even if the price of its new electric generation contract is greater than its original special rate contract. This Second Amendment is consistent

¹ Pricing was actually provided in the Amended and Restated CSA for the period March, 2000 through February, 2001. However, this pricing was superseded by the pricing included in the First Amendment that went into effect in July 1, 2000.

with the Order in that proceeding. Therefore, we grant final approval of the Second Amendment to the CSA with Huhtamaki filed by CMP on December 6, 2001.

Dated at Augusta, Maine, this 18th day of December, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: WELCH
 NUGENT
 DIAMOND

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.